

**Information to identify the case:**

Debtor 1 **Mark R. Acito**  
First Name Middle Name Last Name  
Debtor 2 **Marcy L. Acito**  
(Spouse, if filing) First Name Middle Name Last Name

Social Security number or ITIN **xxx-xx-9817**  
EIN --\_--  
Social Security number or ITIN **xxx-xx-1347**  
EIN --\_--

United States Bankruptcy Court **WESTERN DISTRICT OF  
PENNSYLVANIA**

Date case filed for chapter **7 1/28/21**

Case number: **21-20184-JAD**

**Official Form 309A (For Individuals or Joint Debtors)**

**Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline**

12/15

**For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.**

**This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

**To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.**

**Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.**

	About Debtor 1:	About Debtor 2:
1. Debtor's full name	Mark R. Acito	Marcy L. Acito
2. All other names used in the last 8 years		
3. Address	1094 Bert Circle Penn, PA 15675	1094 Bert Circle Penn, PA 15675
4. Debtor's attorney Name and address	Gino F. Peluso One Peluso Place – Suite A 2692 Leechburg Road Lower Burrell, PA 15068	Contact phone 724-339-8710 Email: <a href="mailto:gp@attorneypeluso.com">gp@attorneypeluso.com</a>
5. Bankruptcy trustee Name and address	Lisa M. Swope, Chapter 7 Trustee Neugebauer & Swope, P.C. 219 South Center Street P. O. Box 270 Ebensburg, PA 15931	Contact phone 814-472-7151 Email: <a href="mailto:lms@nsslawfirm.com">lms@nsslawfirm.com</a>

**For more information, see page 2 >**

<b>6. Bankruptcy clerk's office</b>  Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> .	U.S. Bankruptcy Court 5414 U.S. Steel Tower 600 Grant Street Pittsburgh, PA 15219	Hours open: Mon. – Fri. Pittsburgh Office: 9:00a.m. – 4:30p.m. Erie Office: 9:00a.m. – 4:30p.m.  Contact phone 412-644-2700  Date: 2/10/21
<b>7. Meeting of creditors</b>  Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.	<b>March 26, 2021 at 09:00 AM</b>  The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.	Location:  <b>341 Meeting will be conducted by phone, please consult the docket or, case trustee for call information.</b>
<b>8. Presumption of abuse</b>  If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). Debtors may rebut the presumption by showing special circumstances.	The presumption of abuse does not arise.	
<b>9. Deadlines</b>  The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.	<b>File by the deadline to object to discharge or to challenge whether certain debts are dischargeable:</b>  <b>You must file a complaint:</b> <ul style="list-style-type: none"><li>• if you assert that the debtor is not entitled to receive a discharge of any debts under any of the subdivisions of 11 U.S.C. § 727(a)(2) through (7), or</li><li>• if you want to have a debt excepted from discharge under 11 U.S.C § 523(a)(2), (4), or (6).</li></ul> <b>You must file a motion:</b> <ul style="list-style-type: none"><li>• if you assert that the discharge should be denied under § 727(a)(8) or (9).</li></ul> <b>Deadline to object to exemptions:</b> The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.	
		<b>Filing deadline:</b> 5/25/21  <b>Filing deadline:</b> 30 days after the conclusion of the meeting of creditors
<b>10. Proof of claim</b>  Please do not file a proof of claim unless you receive a notice to do so.	No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.	
<b>11. Creditors with a foreign address</b>	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
<b>12. Exempt property</b>	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> . If you believe that the law does not authorize an exemption that the debtors claim, you may file an objection. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 9.	

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Mark R. Acito**  
**Marcy L. Acito**  
Debtor(s)

Bankruptcy Case No.: 21-20184-JAD  
Chapter: 7

Whereas, Federal Rule of Bankruptcy Procedure 1007(c) requires an individual Debtor(s) to file a statement regarding completion of a course in personal financial management within 60 days after the first date set for the meeting of creditors under §341 of the Bankruptcy Code in a Chapter 7 case and,

Whereas, 11 U.S.C. § 727 (a)(11) states that the Court shall not grant a discharge unless the Debtor(s) completes an instructional course concerning personal financial management after filing the petition,

It is hereby ordered that this case shall be closed without entry of a discharge on the 75<sup>th</sup> day after the first date set for the meeting of creditors unless, within the 60 days after the first date set for the meeting of creditors, the Debtor(s) files a certification that the course in personal financial management described in 11 U.S.C. § 111 was completed. The certification must substantially conform to Official Form No. 423, Certification of Completion of Instructional Course Concerning Personal Financial Management. The Court may delay closing this case without further order or notice.

It is further ordered that a Debtor(s) who cannot meet the requirement of attending the personal financial management course due to incapacity, disability or active military duty in a military combat zone must file a motion with the court to be excused from attending the course within 60 days after first date set for the meeting of creditors. The case shall be closed without entry of a discharge if the Debtor(s) fails to timely file the motion.

Dated: February 10, 2021

Jeffery A. Deller  
United States Bankruptcy Judge

REMINDER TO COUNSEL

Before filing: Generally, a person is ineligible to be a Debtor unless he/she has taken a credit counseling course within 180 days before filing a petition, and files the certificate. 11 U.S.C. Section 109(h)(1).

After filing: A Chapter 7 Debtor is ineligible for a discharge if he/she has not, within 60 days after the first date fixed for the 341 meeting, filed the certificate of having taken the personal financial management course (Official Form 423). 11 U.S.C. Section 727(a)(11) and Rule 1007(b)(7).

In re:  
Mark R. Acito  
Marcy L. Acito  
Debtors

Case No. 21-20184-JAD  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Feb 10, 2021

User: culy  
Form ID: 309A

Page 1 of 3  
Total Noticed: 24

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 12, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Mark R. Acito, Marcy L. Acito, 1094 Bert Circle, Penn, PA 15675-9529
aty	+ Brian Nicholas, KML Law Group, P.C., 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
tr	+ Lisa M. Swope, Chapter 7 Trustee, Neugebauer & Swope, P.C., 219 South Center Street, P. O. Box 270, Ebensburg, PA 15931-0270
15334109	+ Carvana LLC, 63 Pierce Road, Winder, GA 30680-7280
15334113	+ David J. Apothaker, Esq, Apothaker Scian PC, 520 Fellowship Road - Suite C306, PO Box 5496, Mount Laurel, NJ 08054-5496
15334116	+ Lending Club, 595 Market Street-Ste 200, San Francisco, CA 94105-2807
15334117	+ MBM Collections, LLC, Jeannette City School District, 100 Purity Road - Suite 3, Pittsburgh, PA 15235-4441
15334118	+ Michael R. McKeever, Esq., KML Law Group PC, 701 Market Street - Suite 5000, Philadelphia, PA 19106-1541
15334120	+ Rushmore Loan Management, PO Box 514707, Los Angeles, CA 90051-4707

TOTAL: 9

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	Email/Text: gp@attorneypeluso.com	Feb 11 2021 03:34:00	Gino F. Peluso, One Peluso Place - Suite A, 2692 Leechburg Road, Lower Burrell, PA 15068
smg	EDI: PENNDEPTREV	Feb 11 2021 04:08:00	Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946
smg	Email/Text: RVSVCBICNOTICE1@state.pa.us	Feb 11 2021 03:35:00	Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946
smg	EDI: PENNDEPTREV	Feb 11 2021 04:08:00	Pennsylvania Dept. of Revenue, Department 280946, P.O. Box 280946, ATTN: BANKRUPTCY DIVISION, Harrisburg, PA 17128-0946
smg	Email/Text: RVSVCBICNOTICE1@state.pa.us	Feb 11 2021 03:35:00	Pennsylvania Dept. of Revenue, Department 280946, P.O. Box 280946, ATTN: BANKRUPTCY DIVISION, Harrisburg, PA 17128-0946
ust	+ Email/Text: ustpregion03.pi.ecf@usdoj.gov	Feb 11 2021 03:35:00	Office of the United States Trustee, Liberty Center., 1001 Liberty Avenue, Suite 970, Pittsburgh, PA 15222-3721
cr	+ EDI: PRA.COM	Feb 11 2021 04:08:00	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15334107	+ EDI: CAPITALONE.COM	Feb 11 2021 04:08:00	Capital One, PO Box 30285, Salt Lake City, UT 84130-0285
15334108	+ EDI: CAPITALONE.COM	Feb 11 2021 04:08:00	Capital One, PO Box 31293, Salt Lake City, UT 84131-0293
15334111	+ EDI: CITICORP.COM	Feb 11 2021 04:08:00	Citibank M/C, 388 Greenich Street, New York, NY 10013-2362
15334112	+ EDI: CITICORP.COM		

District/off: 0315-2

User: culy

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15334115	EDI: DISCOVER.COM	Feb 11 2021 04:08:00	Citibank/Expedia, PO Box 9001037, Louisville, KY 40290-1037
15334114	+ EDI: AMEREXPR.COM	Feb 11 2021 04:08:00	Discover, PO Box 30943, Salt Lake City, UT 84130
15334110	EDI: JPMORGANCHASE	Feb 11 2021 04:08:00	Delta American Express, PO Box 650448, Dallas, TX 75265-0448
15334116	+ EDI: LENDNGCLUB	Feb 11 2021 04:08:00	Chase Amazon Visa, PO Box 15298, Wilmington, DE 19850
15334119	+ EDI: RMSC.COM	Feb 11 2021 04:08:00	Lending Club, 595 Market Street-Ste 200, San Francisco, CA 94105-2807
15334121	+ Email/Text: jennifer.chacon@spservicing.com	Feb 11 2021 04:08:00	PayPal, PO Box 965064, Orlando, FL 32896-5064
15334928	+ EDI: RMSC.COM	Feb 11 2021 03:36:00	SPS Select Portfolio Service, PO Box 65250, Salt Lake City, UT 84165-0250
		Feb 11 2021 04:08:00	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 18

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		U.S. Bank National Association, as indenture trust

TOTAL: 1 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 12, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 10, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor U.S. Bank National Association as indenture trustee, for the holders of the CIM Trust 2017-3, Mortgage-Backed Notes, Series 2017-3 bnicholas@kmlawgroup.com
Gino F. Peluso	on behalf of Debtor Mark R. Acito gp@attorneypeluso.com pelusolaw@comcast.net
Gino F. Peluso	on behalf of Joint Debtor Marcy L. Acito gp@attorneypeluso.com pelusolaw@comcast.net
Lisa M. Swope, Chapter 7 Trustee	lms@nsslawfirm.com PA73@ecfbis.com,kpetak@spencecuster.com,skosis@spencecuster.com

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Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

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